

Chambers, Scott

From: vreeland@nature.berkeley.edu[SMTP:vreeland@nature.berkeley.edu]
Sent: Thursday, July 23, 1998 1:53 PM
To: Chambers, Scott
Cc: Therkom, Linda
Subject: genus/species usage in Interim Guidelines

The terms "genus" and "species" have very precise meanings to biological scientists. They refer to a taxonomically-defined group of organisms (genus) and individual types of organisms within that group (species). The Interim Guidelines for Written Description from the USPTO grossly misuse these terms as generic terms for a group and its members. At the least, this problem makes the Guidelines confusing, since it is unclear whether reference to specific taxonomic groupings or simply members of a group of molecules are intended. At worst, it renders the text wrong and/or nonsensical. For example, "mouse" is not a species of "mammal" - in fact there are several genera of mice, each of which can contain multiple species. Also, there is no such thing as a "genus" of monoclonal antibody: there can be multiple antibodies within a single organism which have similar specificities but different sequences and combining sites. The solution to this problem is to use a grouping terminology specifically NOT derived from biology or even science.

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